

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: DANIEL J PRUSSMAN
AKA: DANIEL JOSEPH PRUSSMAN
NICOLE M PRUSSMAN
AKA: NICOLE MARIE PRUSSMAN,
NICOLE BELLMUND, NICOLE M.
BELLMUND

CHAPTER 13

Debtor(s)

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant

CASE NO: 5-17-01246-JJT

vs.

DANIEL J PRUSSMAN
AKA: DANIEL JOSEPH PRUSSMAN
NICOLE M PRUSSMAN
AKA: NICOLE MARIE PRUSSMAN,
NICOLE BELLMUND, NICOLE M.
BELLMUND

Respondent(s)

TRUSTEE'S MOTION TO DISMISS CASE

AND NOW, on October 23, 2017, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney Agatha R. McHale, Esquire, and respectfully represents the following:

1. A Plan was filed on May 23, 2017.
2. A Confirmation hearing was held and an Order was entered on August 8, 2017 directing that an amended plan be filed within thirty (30) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable Plan.

Respectfully submitted,

s/ Agatha R. McHale, Esq.

Id: 47613

Attorney for Trustee
Charles J. DeHart, III
Standing Chapter 13 Trustee

Ste. A, 8125 Adams Drive
Hummelstown, PA 17036
Ph. 717-566-6097
Fax. 717-566-8313
eMail: amchale@pamd13trustee.com

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NOTICE

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

U.S. Bankruptcy Court Max Rosenn U.S. Courthouse Courtroom #2 197 S. Main Street Wilkes Barre, PA	Date: December 5, 2017 Time: 09:35 AM
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Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: dehartstaff@pamd13trustee.com

Dated: October 23, 2017

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FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN DANIEL J PRUSSMAN
RE: AKA: DANIEL JOSEPH
 PRUSSMAN
 NICOLE M PRUSSMAN
 AKA: NICOLE MARIE
 PRUSSMAN, NICOLE
 BELLMUND, NICOLE M.
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CERTIFICATE OF SERVICE

AND NOW, on October 23, 2017, I, Vickie Williams, hereby certify that I served a copy of the Trustee's Motion to Dismiss, Notice, and Proposed Order either electronically or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, first class mail, postage prepaid, addressed to the following:

KIM M DIDDIO ESQUIRE
17 N 6TH STREET
STROUDSBURG, PA 18360-

DANIEL J PRUSSMAN
NICOLE M PRUSSMAN
PO BOX 364
SCOTRUN, PA 18355-0364

Respectfully Submitted,
s/ Vickie Williams
for Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: dehartstaff@pamd13trustee.com

Dated: October 23, 2017

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ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed.